

IN THE UNITED STATES DISTRICT COURT
FOR THE 9TH DISTRICT OF HAWAII
DIVISION

*(Write the District and Division, if any, of
the court in which the complaint is filed.)*

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
31 August 2020 1:46 PM lrs
Michelle Rynne, Clerk of Court

JASON SCUTT

*(Write the full name of each plaintiff who is filing
this complaint. If the names of all the plaintiffs
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)*

-against-

MAUI FAMILY LIFE CENTER

*(Write the full name of each defendant who is
being sued. If the names of all the defendants
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)*

**Complaint and Request For
Injunction**

Case No. Civil 20-00375-JAO-KJM

(to be filled in by the Clerk's Office)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	JASON SCUTT
Street Address	
City and County	281 KAIKEA ST
State and Zip Code	KIHEI , HI, 96753
Telephone Number	808-250-0472
E-mail Address	JASON.R.SCUTT@GMAIL.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1	MAUI FAMILY LIFE CENTER
Name	
Job or Title (if known)	
Street Address	95 KANE ST
City and County	KAHULUI, MAUI
State and Zip Code	HI, 96732
Telephone Number	808-877-0880
E-mail Address (if known)	

Defendant No. 2	
Name	
Job or Title (if known)	
Street Address	
City and County	

State and Zip Code

Telephone Number

E-mail Address
(if known)

Defendant No. 3

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address
(if known)

Defendant No. 4

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address
(if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)



☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

TITLE VI ☐ CIVIL RIGHTS ACT 1968

FAIR HOUSING ACT 1968

AMERICANS WITH DISABILITIES, TITLE II AND III

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (*name*) _____, is a citizen of the State of (*name*) _____.

b. If the plaintiff is a corporation

The plaintiff, (*name*) _____, is incorporated under the laws of the State of (*name*) _____, and has its principal place of business in the State of (*name*) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (*name*) _____, is a citizen of the State of (*name*) _____. Or is a citizen of (*foreign nation*) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is
incorporated under the laws of the State of *(name)*
_____, and has its principal place of
business in the State of *(name)* _____. Or is
incorporated under the laws of *(foreign nation)*
_____, and has its principal place of
business in *(name)* _____.

*(If more than one defendant is named in the complaint, attach an
additional page providing the same information for each additional
defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant
owes or the amount at stake—is more than \$75,000, not counting interest
and costs of court, because *(explain)*:

\$100K minimum in damages and health care for emotional
trauma— for each title violation _____

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as
briefly as possible the facts showing that each plaintiff is entitled to the injunction or
other relief sought. State how each defendant was involved and what each defendant did
that caused the plaintiff harm or violated the plaintiff's rights, including the dates and
places of that involvement or conduct. If more than one claim is asserted, number each
claim and write a short and plain statement of each claim in a separate paragraph. Attach
additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

online/phone/residence

B. What date and approximate time did the events giving rise to your claim(s) occur?

— AUGUST 16, 2020 —

C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Discrimination - see complaint attachment for detail

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

Physical and emotional distress due to being left in a near-homeless situation

V. Relief

State briefly and precisely what relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Temporary/preliminary injunction against discrimination and order to provide rental assistance benefits to Plaintiff, and also eventually \$100K for each title violation as punitive/exemplary

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: AUGUST 31, 2020.

Signature of Plaintiff

Printed Name of Plaintiff

JASON SCUTT

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

Jason Scutt
Pro Se
281 Kaikea St.
Kihei, HI, 96753
808-250-0472
Jason.r.scutt@gmail.com

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI'I	
JASON SCUTT, an individual, on behalf of herself Plaintiff vs. Defendant.	CASE NO.: PLAINTIFF'S Trial Date: none set

Jurisdiction: Fair Housing Act of 1968, Title VI of Civil Rights Act of 1964, Americans with Disabilities Act (ADA) II (discrimination by public services), Title III (public accommodation)

Complaint: The Defendant has multiple alliances with unfriendly Christian organization, demonstrates mass discrimination based on these beliefs against LGBTQIA+ Individuals, their official registration is as a church under IRS guidelines, but they advertise and operate as nonprofit 501c(3), they receive federal and local funding, are the ONLY available resource for rental assistance during covid 19 pandemic. Plaintiff relied on emergency housing funds as she was being evicted from a domestic violence situation in which she was given "45 days" notice; however it was clear that she was to vacate within three days or kiss of the notice dated July 24 2020 and attached illegally to her front door. Plaintiff was otherwise qualified in all respects, submitted proof

of financial status, birth certificates as requested , photo ID, Social Security Cards (all handled illegally under HIPPA regulations- see [Exhibit A]) and also medical records to determine her status, including as transgender/LGBTQIA+ and disability to a schedule a phone interview on August 17, 2020. Employees then made unsolicited calls one day before the scheduled interview (August 16) in which Plaintiff needs to prepare for by setting up hearing accommodations for her right ear (left earbuds, high volume, etc.) Plaintiff would clearly have been homeless except for her luck in finding a temporary 6-month rental; however at higher cost and after being violently and immediate forced from her current living situation, and as such has suffered greater emotional, financial and physical stress as a direct result. She is also unable to get back her security deposit of \$1375 until Feb 2021 and is require to continue to make the payments of \$1375 per month at the new rental. She is unable to do so based on the denial of these public service benefits, and these are the ONLY available during this time within the geographic area. The 45 day vacation notice was in effect during the above and also covid19 and Plaintiff still faces the possibility of becoming homeless as a direct result of not being able to obtain the only available funds in her community without the assistance of this “Christian” organization and otherwise enduring hateful sentiment and unwanted religious conversion. During the phone conversation, employee “Nicole” used the word “Hoali” in reference to Plaintiff and otherwise notified Plaintiff clearly that the Organization does not support transgender or LGBTQIA+ individuals, who are “ineligible” after hanging up the phone during the conversation. They were also made aware via doctor statement of permantly disabled person of her multiple disabling conditions. The employee who hung up the phone in a violent manner after notifying Plaintiff of her “ineligibility” as well as the employee “Jackie” who handled her personal and medical records indiscreetly clearly demonstrated both verbally and physically the Organization’s contempt and prejudice based on Plaintiff’s protected rights under

these Titles. The Organization otherwise demonstrates in Public that it only supports “Christian” affiliates – see [Exhibit A] which also promote bias and prejudices toward non-conforming benefit recipients , also note their public status as a “church” under IRS guidelines in that exhibit. Their logos, attitudes beliefs, ”outreach”, and materials all represent unfriendly, prejudiced and biased support for homeless people and near-homeless who participate in this method forced conversion. Other benefit recipients will be shown to be disproportionally represented and employees have already demonstrated contempt and homophobia for people with disabilities as well. These rights, as well as those for “the disabled”, have recently been upheld for these individuals by the Nation’s highest courts... see the exhibit also for “Christian” symbolism in Defendant’s corporate logo representing cross and flames/fire and also advertise under multiple website URLs that they provide “non-profit” services.

The HUD complaint, also included in the [Exhibit A] was made AUG 28, 2020 while Plaintiff was still at 281 Kaikea St. on Maui and a separate

HUD complaint was Filed July 27, 2020 against landlords at 950 Wailupe Dr. on Maui.

Relief: Plaintiff requests temporary/preliminary financial relief from the defendant as a result of the direct and irreparable harm in the form of the \$1375 security deposit to secure new housing plus the $\$1375 \times 6 \text{ months} = \8250 and thereafter eventually compensative and punitive damages based on the discrimination under HIPPA, ADA and Fair Housing Act. Damages should be considered at \$100,000 Each for each title violation.

DATED: Maui, Hawai’i Monday, August 31, 2020

JASON SCUTT

/s/ Jason Scutt

Jason.r.scutt@gmail.com

